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REMARKS

With entry of the present amendment, claims 14 – 21 and 49 – 55 are pending. Claim 14 has been amended, claims 1 – 13, 22 – 33, 40 – 45 and 48 have been cancelled, claims 34 – 39 and 46 – 47 have been withdrawn as directed to a non-elected invention and claims 49 – 55 are new. Applicants submit new matter has not been introduced by the instant amendment.

Applicant's claims were subject to a restriction, and the claims have been placed in eight groups denominated by:

Group I (claims 13, 32 and 40) drawn to bacterial cells transformed with a DNA construct comprising a promoter inserted upstream of a glucose assimilator, classified in class 435, subclass 252.1;

Group II (claims 133, 42 – 44 and 48) drawn to bacterial cells transformed with two DNA constructs, classified in class 435, subclass 252.1;

Group III (claims 1 – 12 and 26 – 27, 30 and 31) drawn to a method of increasing carbon flow in a bacterial host, classified in class 435, subclass 6;

Group IV (claims 22 – 25) drawn to a method of increasing carbon flow in a bacterial host, classified in class 435, and subclass 6;

Group V (claims 14 – 21) drawn to a method of increasing production of a desired product in a host cell transformed with a single DNA construct, classified in class 435, subclass 69.1;

Group VI (claims 46 – 47) drawn to a method of increasing production of a desired product in a host cell transformed with two DNA constructs, classified in class 432, subclass 69.1;

Group VII (claims 34 – 39) drawn to a method of increasing PEP availability, classified in class 435, subclass 6; and

Group VIII (Claims 41 and 45) drawn to a method of increasing growth rate in a bacterial cell, classified in class 435, and subclass 471.

Applicants have elected Group VI with traverse.

With respect to the restriction of inventions denominated as Groups V, VI, and VII, Applicants submit the claims of these groups should be reviewed together. These claims have not acquired a separate status in the art. Each grouping of claims (Group V, VI and VII) is classified in class 435. Additionally claims of Groups V and VI are classified in subclass 69.1. While the classification of claims is not dispositive, Applicants submit

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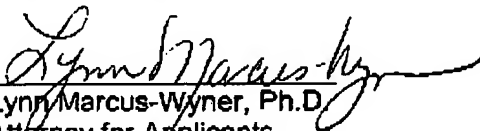
there would be no additional burden placed on the Examiner to search these groups together. The Applicants also points out the preamble of independent claim 34 (Group VII) recites a method of increasing PEP availability in a bacterial host cell and PEP is one of recited desired products of independent claim 14 (Group V).

Independent claim 14 has been amended to described the abbreviation PTS. In addition, claims 49 – 55 have been added. These claims are dependent on elected independent claim 14 and are clearly supported by the original claims.

Applicants respectfully submit that the pending claims are in condition for allowance. Allowance of the application is kindly requested. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 846-7620.

Respectfully submitted,

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